

PROB 12C
(NEP 4/2013)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

Petition for Warrant or Summons for Offender Under Supervision

Offender:	Patrick K. Shannon	Docket No. 8:11CR00148
Type of Supervision:	Supervised Release	Date of This Report: April 20, 2021
Sentencing Judge:	The Honorable Lyle E. Strom Senior U.S. District Judge	
Reassigned Judge:	The Honorable Robert F. Rossiter, Jr. U.S. District Judge	
Offense of Conviction:	Receipt of Child Pornography [18 U.S.C. 2252A(a)(2)] Date Sentenced: February 9, 2012 Original Sentence: 60 Months Bureau of Prisons; Lifetime Supervised Release	
Supervision Term:	September 4, 2015 through Lifetime	
Prepared By:	Assistant U.S. Attorney:	Defense Attorney:
Alicia A. Friedman	Michael P. Norris	David R. Stickman, FPD

PETITIONING THE COURT

The undersigned probation officer recommends that a Summons be issued for service upon Patrick K. Shannon and that a hearing be held by the Court to determine whether the offender has violated the conditions of supervision as set forth in this report and to determine whether the offender's supervision should be revoked or continued, modified, and/or extended based on the alleged violations.

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The probation officer believes the offender has violated the following conditions of supervision:

Allegation No.

Nature of Noncompliance

1

Patrick K. Shannon is in violation of **Standard Condition #3** which states, "The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer."

On November 30, 2018, Mr. Shannon failed to follow the instructions of the probation officer by viewing sexually stimulating images on Instagram and engaging in excessive internet use. While subject to computer monitoring, Mr. Shannon would routinely remain online for periods of up to 20 hours per day and would frequently view questionable videos and images on YouTube and Instagram. In an effort to reduce risk factors associated with unhealthy internet use and sexually stimulating material, the probation officer instructed Mr. Shannon to limit his internet use to three hours per day and to refrain from visiting the aforementioned sites. Subsequent to this directive, he continued to remain online for excessive periods of time, and he visited Instagram sites showing numerous sexually stimulating images of what appeared to be teenage girls in underwear.

2

Patrick K. Shannon is in violation of **Special Condition #14** which states, "The defendant shall undergo a sex offense-specific evaluation and participate in a sex offender treatment and/or mental health treatment program approved by the U.S. Probation Officer. The defendant shall abide by all rules, requirements, and conditions of the sex offender treatment program(s), including submission to therapeutic polygraph testing. The defendant shall sign releases of information to allow all professionals involved in their treatment and monitoring to communicate and share documentation. The defendant shall pay for these services as directed by the U.S. Probation Officer."

On August 31, 2016, Mr. Shannon admitted violating the rules of his sex offender treatment program by engaging in voyeuristic behavior. After showing signs of deception on two different polygraph examinations, Mr. Shannon admitted to using binoculars to view into a neighbor's home with the specific intention of seeing a naked person or sexual act.

3

Patrick K. Shannon is in violation of **Special Condition #15** which states, "The defendant shall be required to submit to periodic polygraph testing at the discretion of the probation office as a means to ensure that he or she is in compliance with the requirements of his or her supervision or treatment program."

On April 7, 2021, Mr. Shannon refused to submit to any further polygraph testing. After Mr. Shannon underwent a polygraph examination on March 2, 2021, the examiner determined that the results were inconclusive and no opinion could be rendered, specifically noting that countermeasures were suspected. The statistical analysis supported a conclusion of probable intentional distortions in the form of controlled breathing during certain questions on the exam. When Mr. Shannon was informed that he would be referred for a retake examination within 60 days, he refused to comply. Mr. Shannon was given three different opportunities to reconsider his refusal; on March 2, March 30, and April 7, 2021, he told the probation officer that he would not submit to another polygraph examination.

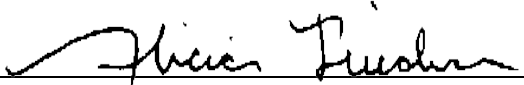
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I declare under penalty of perjury that the forgoing is true and correct.

Respectfully submitted,

Reviewed by:



Alicia A. Friedman
Sr. U.S. Probation and Pretrial Services Officer


Aaron C. Kurtenbach, Supervising
U.S. Probation and Pretrial Services Officer

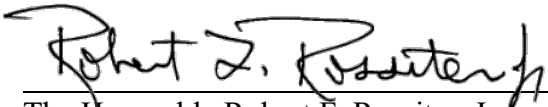
THE COURT ORDERS THAT:

_____ No action shall be taken.

_____ A Warrant shall be issued for service upon Patrick K. Shannon and a hearing held by the Court to determine whether Patrick K. Shannon has violated the conditions of supervision as set out in the foregoing report and to determine whether the term of supervision should be revoked, continued, modified, and/or extended based on the alleged violations.


_____ The U. S. Probation Officer shall summons Patrick K. Shannon to appear for a hearing in court to determine whether Patrick K. Shannon has violated the conditions of supervision as set out in the foregoing report and to determine whether the term of supervision should be revoked, continued, modified, and/or extended based on the alleged violations.

_____ The following action to be taken (specify other action):


The Honorable Robert F. Rossiter, Jr.
U.S. District Judge

April 21, 2021

Date

*** * * NOTICE TO OFFENDER * * ***

Pursuant to the Federal Rules of Criminal Procedure 32.1(b)(2) you are entitled to:

- (A) written notice of the alleged violation(s);
- (B) disclosure of the evidence against you;
- (C) an opportunity to appear, present evidence, and question adverse witnesses unless the court determines that the interest of justice does not require the witness to appear;
- (D) notice of your right to retain counsel or to request that counsel be appointed if you cannot obtain counsel.